

CITY OF MUSKEGON
MUSKEGON HOUSING BOARD OF APPEALS
MEETING MINUTES
11/06/08
5:30PM

ATTENDANCE: Randy Mackie, Greg Borgman, Ed Simmons, Jon Rolewicz
ABSENT: Chris Carter
EXCUSED: Kirk Kolberg, Nick Kroes,
STAFF: Mark Kincaid, Carmen Smith, Jim Hoppus, Don LaBrenz, Scott Houghtaling
GUESTS: John Steinbech (1815 Harrison), Alma L. Childers(1201 Pine Garage)

Meeting minutes: A motion was made by Jon Rolewicz and seconded by Ed Simmons to approve the October 2008 minutes.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
		Nick Kroes		
			Chris Carter	
Ed Simmons				
		Kirk Kolberg		

Motion carried.

PROPERTY MAINTENANCE APPEAL CASE

**1815 Harrison Ave – Marjorie Mastenbrook Trust/John Steinbach, 2009
Lakeshore Dr; Suite C, Muskegon, MI 49441**

Mr. Steinbach was present to represent case with architect Denny Dryer.

Mr. Dryer requested that structure be exempt from putting up garage doors or from turning it into a carport. He said Mr. Steinbach had bad luck with renters taking the doors down. Mr. Dryer asked for a variance to leave the garage doors off. Don LaBrenz stated that the appeal was for misinterpretation of standard, he was not aware of a request for a variance. Mr. Dryer said that could have been his mistake. Jon Rolewicz read the 2006 Building Code R309.4 which states "carports not open on at least two sides shall be considered a garage" and said that by looks and definition the structure is a garage and the board did not have power to grant a variance. Mr. Steinbach stated he had plans to cut the back out and make it into a carport. He said tenants won't shovel driveway if fleeced he could keep tenants from storing items such as mattresses. Greg Borgman asked if problem could be addressed by statements in the lease. Mr. Steinbach stated that if doors are on garage it's hard to police what's going on inside. Greg Borgman asked how could structure stand with walls removed. Mr. Dryer said he had a plan that would work. Ed Simmons stated that since it's rental property if board was to grant owner the ok to leave doors off then it would have to be granted to all. Mr. Steinbach said doors have been off for about 10 years.

Jon Rolewicz made a motion to deny the appeal and was supported by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				Randy Mackie
Jon Rolewicz		Nick Kroes	Chris Carter	
Ed Simmons		Kirk Kolberg		

Motion carried.

DANGEROUS BUILDING REVIEW CASES

EN-080133 – 1201 PINE (Garage) –Alma Childers, 1201 Pine, Muskegon, MI 49442

Ms Alma Childers was present to represent case.

Ms Childers stated she had previously stated at the September 2008 meeting that she would have garage completed by now but was not able to do so. She stated that she tried to get permit but was told she needed square footage or how many bundles of shingles to determine cost of permit. She returned with that information today to get permit and was told she needed to wait until results of the meeting tonight. Ed Simmons asked if intention is to repair structure. Ms Childers said that is her intention but she's been very busy. Jon Rolewicz expressed concern about structure making thru the winter. Mr. Rolewicz asked how long would it take to complete repairs? Ms Childers said she would like to complete it this year weather allowing. Greg Borgman explained determination of board.

Randy Mackie made motion to declare structure dangerous, substandard and a public nuisance and motion was seconded by Jon Rolewicz.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
		Nick Kroes		
			Chris Carter	
Ed Simmons				
		Kirk Kolberg		

Motion carried.

DANGEROUS BUILDING NEW CASES

EN-080216 – 616 Catherine – County of Muskegon/Lisa Kitchens, 990 Terrace St; 2nd Flr., Muskegon, MI 49442

No one was present to represent case.

Mark Kincaid said structure appears to have gone back to the County for taxes.

Jon Rolewicz made motion to declare structure dangerous, substandard and a public nuisance and motion was seconded by Ed Simmons.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
		Nick Kroes		
			Chris Carter	
Ed Simmons				
		Kirk Kolberg		

Motion carried.

EN-080234 355 W. Grand – Federal National Mortgage Assoc, 1 S. Wacker Dr., Chicago, IL 60606

No one was present to represent case.

Mark Kincaid stated structure is in foreclosure.

Randy Mackie made motion to declare structure dangerous, substandard and a public nuisance and motion was seconded by Jon Rolewicz.

A roll call vote was taken:

<u>AYES:</u>	<u>NAYES:</u>	<u>EXCUSED:</u>	<u>ABSENT:</u>	<u>ABSTENTION:</u>
Greg Borgman				
Randy Mackie				
Jon Rolewicz				
		Nick Kroes		
			Chris Carter	
Ed Simmons				
		Kirk Kolberg		

Motion carried.

OLD BUSINESS:

Ed Simmons asked about status of 1969 Wood. Don LaBrenz stated that the ice & water shield inspection had been conducted and he expects the roof to be completed soon.

NEW BUSINESS:

ADJOURNMENT: 5:50 PM

CITY OF MUSKEGON

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF
THE CITY COMMISSION AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES.

The City of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audiotapes of printed materials being considered at the meeting, upon twenty-four hours notice to the City of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the City of Muskegon by writing or calling the following.

Ann Becker, City Clerk
933 Terrace Street
Muskegon, MI 49443
(231) 724-6705 or TDD (231) 724-6773